

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

THE CITY OF NEW YORK and THE BOARD
OF EDUCATION OF THE CITY SCHOOL
DISTRICT OF CITY OF NEW YORK,

Plaintiffs,

vs.

PACIFIC EMPLOYERS INSURANCE CO.,
JOHNSON CONTROLS, INC. and ESIS INC.,

Defendants.

Civil Action No. 10-cv-1518 (ARR)(MDG)

ECF Case
Document Electronically Filed

IT IS HEREBY STIPULATED, ORDERED AND ADJUDGED, by and between plaintiffs The City of New York and The Board of Education of the City School District of City of New York and defendants Pacific Employers Insurance Company, Johnson Controls, Inc. and ESIS Inc. in accordance with Fed. R. Civ. P. 41(a)(1)(ii), that plaintiffs hereby dismiss their claims in their entirety with prejudice, and without costs or attorneys' fees by any party as against the other. This Stipulation and Order of Dismissal may be executed in counterparts, each of which shall be deemed an original and shall bind the signatories thereto. Facsimile or PDF signatures shall have the same binding effect as original signatures.

Dated: New York, New York
January 11, 2011

AGREED TO:

CORPORATION COUNSEL OF THE CITY OF NEW YORK GIBBONS P.C.

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School District of City of New York*

*Attorneys for Defendants
Pacific Employers Insurance Company,
Johnson Controls, Inc. and ESIS Inc.*

Dated: _____, 2011

SO ORDERED:

Hon. Allyne R. Ross, U.S.D.J.